

Examination of 540 eggs from the consignment by the Bureau of Chemistry of this department showed 261 mixed or white rots, 114 moldy eggs, and 2 blood rings, or approximately 69 per cent inedible eggs.

Adulteration of the article was alleged in the information for the reason that it consisted in whole or in part of a filthy, decomposed, and putrid animal substance.

On March 12, 1921, the defendant entered a plea of guilty to the information, and the court imposed a fine of \$25.

E. D. BALL, *Acting Secretary of Agriculture.*

9215. Misbranding of Gauvin's Cough Syrup. U. S. * * * v. 3 Dozen Bottles, 67 Bottles, and 67 Bottles of Gauvin's Cough Syrup. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 12832, 12833, 12834. I. S. Nos. 455-r, 457-r, 461-r. S. Nos. E-2320, E-2321, E-2322.)

On June 12, 1920, the United States attorney for the District of Connecticut, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 3 dozen bottles, 67 bottles, and 67 bottles of Gauvin's Cough Syrup, remaining unsold in the original unbroken packages at Putnam, Moosup, and Danielson, Conn., respectively, alleging that the article had been shipped by J. A. E. Gauvin, Lowell, Mass., in part on or about August 7, 1919, and in part on or about August 8, 1919, and transported from the State of Massachusetts into the State of Connecticut, and charging misbranding in violation of the Food and Drugs Act, as amended.

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of the extractives of wild cherry bark and spruce gum, sugar, alcohol, and water.

Misbranding of the article was alleged in substance in the libels for the reason that the bottle and carton labels and an accompanying circular bore, among others, the following statements regarding its therapeutic and curative effects; to wit, (bottle) " * * * For * * * 'La Grippe,' Whooping-Cough & all affections of the Throat & Lungs. * * *," (carton, English and French) " * * * Recommended For * * * 'la Grippe,' Whooping Cough and all Throat and Pulmonary Diseases. * * * for all Diseases of the Respiratory Organs," (circular, English and French) " * * * the greatest possibilities of a radical cure. * * * highly recommended for all Affections Of The Respiratory Organs. * * * its persistent use produces a beneficent relief in serious as well as desperate cases. * * * a remedy for all Affections of the Respiratory Organs: Throat, Bronchial Tubes and Lungs. * * * the use of Gauvin's Syrup in the treatment of more severe cases of * * * Catarrh, as well as Asthma, Whooping-Cough, La Grippe, Hoarseness and Influenza have proved conclusively the efficacy of this remedy. * * * especially appropriate for the treatment of pulmonary diseases, because it constitutes the best antiseptic combination to check the progress of microbes in the respiratory organs, * * * it will relieve the worst cases. * * *," which statements were false, fraudulent, and misleading, and were applied to said article so as to represent falsely and fraudulently, and to create in the minds of purchasers thereof the impression and belief, that the article was composed of or contained ingredients or medicinal agents effective as a remedy for la grippe, whooping cough, catarrh, asthma, influenza, etc., when, in truth and in fact, it did not contain ingredients effective for the purposes named.

On September 15, 1920, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

E. D. BALL, *Acting Secretary of Agriculture.*

9216. Misbranding of cider vinegar. U. S. * * * v. 226 Barrels of Cider Vinegar. Consent decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 13048. I. S. Nos. 14526-r, 14527-r, 14528-r. S. No. E-2422.)

On July 15, 1920, the United States attorney for the Western District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on February 14, 1921, an amended libel, for the seizure and condemnation of 226 barrels of cider vinegar, consigned by the Waynesboro Vinegar Co., Inc., Waynesboro, Va., remaining unsold in the original unbroken packages at Corning, N. Y., alleging that the article had been shipped on or about April 7, 22, and 26, 1920, respectively, and transported from the State of Virginia into the State of New York, and charging misbranding in violation of the Food and Drugs Act, as amended.

Misbranding of the article was alleged in the libel, as amended, for the reason that said article was food in package form, and the quantity of the contents was not plainly and conspicuously marked on the outside of said packages.

On February 23, 1921, the Waynesboro Vinegar Co., Inc., Waynesboro, Va., claimant, having consented to a decree, executed a bond in the sum of \$10,000, and paid the costs of the proceedings, in conformity with section 10 of the act, an amended decree was entered ordering that the condemnation and forfeiture of the article and its release under bond provided by the previous decree be continued in full force and effect, said amended decree being conditioned in part that the barrels containing the article be relabeled under the supervision of this department, so as to show the true quantity of the vinegar contained therein.

E. D. BALL, *Acting Secretary of Agriculture.*

9217. Misbranding of Hall's Texas Wonder. U. S. * * * v. 3 Dozen Bottles * * * of Hall's Texas Wonder. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13098. I. S. No. 3905-t. S. No. C-2049.)

On July 26, 1920, the United States attorney for the Southern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 3 dozen bottles, more or less, of Hall's Texas Wonder, remaining in the original unbroken packages at Peoria, Ill., alleging that the article had been shipped by E. W. Hall, St. Louis, Mo., on or about July 14, 1920, and transported from the State of Missouri into the State of Illinois, and charging misbranding in violation of the Food and Drugs Act, as amended. The article was labeled in part: (Carton) "Recommended For Kidney and Bladder Troubles When Operation Not Required Weak or Lame Backs Rheumatism, Gravel and Bladder Troubles in Children;" (small circular headed "Read Carefully") "* * * In cases of Gravel and Rheumatic troubles it should be taken every night in 25-drop doses until relieved."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it consisted essentially of copaiba, rhubarb, colchicum, guaiac, turpentine, alcohol, and water.

Misbranding of the article was alleged in the libel for the reason that the above-quoted statements, regarding the curative and therapeutic effect, were